

REMARKS

This is intended as a full and complete response to the Office Action dated July 9, 2004, having a shortened statutory period for response set to expire on October 12, 2004. Please reconsider the claims pending in the application for reasons discussed below.

Paragraph [0042] has been amended to correct a minor editorial problem. No new matter has been added by the amendments. Please note that there is a publication error by the PTO in paragraph [0062] of the published Application (U.S. 2002/0196336). The term "i.e." was misprinted as "Le".

Claims 1-30 remain pending in the application after the entry of this response. Claims 1, 3, 20, 21, 23, 25, and 27 have been amended to correct typographical errors. No new matter has been added by the amendments. Claims 1-30 are rejected by the Examiner. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 1-12, 17 and 20, stand rejected under 35 USC § 102(e) as being anticipated by *Aloni* (US 6,360,005 B1). Applicant respectfully traverses the rejection. *Aloni* does not teach, suggest, or disclose: "[a]n apparatus ... comprising: ... a controller ... compris[ing] ... at least one substrate imaging program that when executed on the processor performs a method of: (a) determining the trigger intervals for at least two trigger signals for the acquisition of at least two images on a substrate surface moving with *non-linear motion*" as recited in claim 1 (emphasis added); "[a] method ... comprising: (a) determining the trigger intervals for at least two trigger signals for the acquisition of at least two images on a substrate surface moving with *non-linear motion*" as recited in claim 10 (emphasis added); or "a method ... comprising: (a) determining an interval corresponding to at least one image position defining an image on a *non-linearly* moving substrate surface; [and] ... (e) determining an integration interval for a second sensor of the time-domain camera corresponding to the *non-linear* movement of the substrate surface" as recited in claim 20 (emphasis added).

Aloni discloses:

"The bi-axis positioning subsystem 302 may be a Microglide L250 commercially available from Anorad Co., Hauppauge, N.Y., USA and comprises a granite table 30[8] having a bore 309 and a moving stage 310 provided with

linear motors (not shown), air bearings (not shown) and a laser interferometer 314. The position of the stage 310 as measured by the interferometer 314 is transmitted to a stage controller 312.” (col. 28, lines 37-44, emphasis added.)


Since *Aloni* is disclosing using only a scanner with linear motors, his apparatus does not have to contend with non-linear motion of the substrate. Therefore, claims 1, 10, and 20 are patentable over *Aloni*. Claims 2-9 and 17 are also patentable over *Aloni* since they depend from claims 1 and 10, respectively.

Claims 13-16, 18-19 and 21-30 are rejected under 35 U.S.C. 103(e) as being unpatentable over *Aloni* in view of *Kobayashi* (US 6,388,414 B1). Applicant respectfully traverses the rejection. *Kobayashi* is cited for disclosure of the trigger intervals being comprised of measuring the rotation of a motor, motor rotations being step wise, linear, or non linear, trigger intervals being equal to the number of steps and determining the image positions by measuring the number of steps of the stepper motor, providing the step time for each step for each step of a stepper motor and determining the number of steps for the for the image positions and summing the step time for each step of the stepper motor for the image positions, determining the interval corresponding to the at least one image position by measuring the rotation of a motor wherein the rotation time to achieve the rotation angle defines the interval, and determining the integration interval by determining the number of stepper steps from the start trigger point or first sensor to the second sensor. Thus, *Kobayashi* does not fill the gap in disclosure left by *Aloni*, discussed above with respect to claims 10 and 20. Therefore, claims 10 and 20 are patentable over *Aloni* in view of *Kobayashi*. Claims 13-16 and 18-19, and 21-30 are also patentable over *Aloni* in view of *Kobayashi* since they depend from claims 10 and 20, respectively.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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